

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION

THE TRUSTEES OF
PURDUE UNIVERSITY,

Plaintiff,

vs.

OMRON CORPORATION and
OMRON HEALTHCARE COMPANY, LIMITED,

Defendants.

Civil Action No. 4:17-cv-00099

JURY TRIAL DEMANDED

**PLAINTIFF THE TRUSTEES OF PURDUE UNIVERSITY'S
ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT AND JURY DEMAND**

Plaintiff, The Trustees of Purdue University ("Purdue"), by and through its undersigned attorneys, hereby files this Original Complaint for patent infringement against Defendants Omron Corp. and Omron Healthcare Co., Ltd., and alleges as follows:

PARTIES

1. Purdue is a statutory body corporate that operates and conducts a state educational institution having its principal place of business at 610 Purdue Mall, West Lafayette, Indiana 47907.

2. Purdue is an instrumentality of the State of Indiana, created and authorized by the Indiana General Assembly pursuant to Indiana Code § 21-23-2-1, *et seq.*, and thus enjoys sovereign immunity. *Kashani v. Purdue Univ.*, 813 F.2d 843, 845 (7th Cir. 1987). By filing this action, Purdue does ***not*** consent to the jurisdiction of any other forum for proceedings related to the patent-in-suit.

3. Purdue is a land grant university under the 1862 Morrill Act. It was founded in 1869 and is consistently ranked among the top universities in the United States and the world. Purdue enrolls more than 40,000 students under the guidance of 16,000 faculty and staff, and has produced 10 Nobel Prize winners, 24 National Academy of Engineering members (including the inventor Prof. Leslie A. Geddes), and 23 astronauts (including the late Neil Armstrong). Purdue is the State of Indiana's primary driver for economic growth in science and technology. For example, Purdue spent \$398,109,000 on research this past fiscal year, founded 76 technology startups, and raised more than \$96,000,000 in venture capital funding.

4. Defendant Omron Corporation ("OC") is a Japanese company with a principal place of business at Shiokoji Horikawa, Shimogyo-ku, Kyoto 600-8530, Japan, and may be served through Japan's Central Authority pursuant to Article 5 of the Hague Convention, to which Japan is a signatory.

5. Defendant Omron Healthcare Co., Ltd. ("OHCL") is a Japanese company with a principal place of business at 53, Kunotsubo, Terado-cho, Muko, Kyoto, 617-0002, Japan, and may be served through Japan's Central Authority pursuant to Article 5 of the Hague Convention, to which Japan is a signatory.

6. Defendants OC and OHCL are collectively referred to as "Omron."

JURISDICTION AND VENUE

7. This is an action for patent infringement arising under the patent laws of the United States of America, Title 35 of the United States Code. This Court has subject matter

jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). As a sovereign entity, Purdue University may bring suit in courts located in the State of Indiana.

8. This Court has specific personal jurisdiction over each Defendant. Each Defendant has placed infringing instrumentalities into the stream of commerce through an established distribution channel with the intent and expectation that they will be purchased by consumers in the Northern District of Indiana, and each Defendant has conducted and continues to conduct business within the State of Indiana.

9. This Court also has specific personal jurisdiction over Defendants OC and OHCL because each Defendant is a foreign corporation, patent infringement is a claim that arises under federal law, and exercising personal jurisdiction over each Defendant will not violate due process; therefore, service of summons or a waiver of service by Defendants OC and OHCL will establish personal jurisdiction under Fed. R. Civ. P. 4(k)(2).

10. Venue is proper as to each Defendant individually under 28 U.S.C. § 1391(c)(3) because each Defendant is not a resident of the United States and may, therefore, be sued in any judicial district. *Brunette Mach. Works, Ltd. v. Kockum Indus., Inc.*, 406 U.S. 706, 714 (1972); *see also TC Heartland LLC v. Kraft Food Group Brands LLC*, 137 S. Ct. 1514, 1520 n.2 (2017) (“The parties dispute the implications of petitioner’s argument for foreign corporations. We do not here address that question, nor do we express any opinion on this Court’s holding in *Brunette Machine*.”).

U.S. PATENT NO. 7,014,611 B1

11. United States Patent No. 7,014,611 B1 (the “611 patent”), titled “Oscillometric Noninvasive Blood Pressure Monitor,” was duly and legally issued by the

United States Patent and Trademark Office on March 21, 2006. A true and correct copy of the '611 patent is attached as Exhibit A.

12. The inventors of the '611 patent are the late Professor Leslie A. Geddes, Ph.D. ("Prof. Geddes") and Rebecca A. Roeder, Ph.D. ("Dr. Roeder").

13. Prof. Geddes was Purdue's Showalter Distinguished Professor Emeritus of Bioengineering and former Director of Purdue's Hillenbrand Biomedical Engineering Center. Prof. Geddes was born on May 24, 1921 in Port Gordon, Scotland. He moved to Canada at an early age, and earned bachelor's and master's degrees in electrical engineering from McGill University in Montreal. In 1959, Prof. Geddes earned a doctorate in physiology and pharmacology from Baylor University College of Medicine, where he developed physiological monitoring systems for the first astronauts.

14. Purdue recruited Prof. Geddes to establish the University's biomedical engineering research center in 1974, which he grew and developed into the Purdue Department of Biomedical Engineering in 1998. Prof. Geddes is world-renown for his pioneering work in defibrillators, pacemakers, electrocardiographs, blood pressure monitoring, and regenerative tissue grafts for burn victims. Prof. Geddes' inventions have been used to treat hundreds of thousands of patients, are licensed to several Indiana companies such as Cook Biotech, DePuy, Eli Lilly, and Hillenbrand Industries, and have generated tens of millions of dollars of royalties for the benefit of Purdue and the State of Indiana.

15. In 2006, President George W. Bush awarded Prof. Geddes the National Medal of Technology, the United States' highest honor for technological innovation. Prof. Geddes

was elected to the National Academy of Engineering and received the Institute of Electrical and Electronics Engineers ("IEEE") Edison Medal, the Engineering in Medicine and Biology Society Career Achievement Award, the Association for the Advancement of Medical Instrumentation Laufman-Greatbatch Award, and the Nelson Innovation Award. Prof. Geddes authored 13 books and more than 800 scientific papers, edited several scientific journals, and served as a consultant to the National Institute of Health, the Federal Drug Administration, and the National Science Foundation.

16. Dr. Roeder was a student of Dr. Geddes and received her doctorate in Bioengineering from Purdue under his guidance. She began with Prof. Geddes in 1995 and continued working with him on research and teaching projects until his death in 2009.

17. Purdue is the owner of all right, title, and interest in and to the '611 patent with full rights to enforce the patent, including the right to recover for past infringement damages.

18. All requirements under 35 U.S.C. § 287 have been satisfied with respect to the '611 patent.

19. The '611 patent is directed to a useful, novel, and non-obvious oscillometric, noninvasive blood pressure monitor and a useful, novel, and non-obvious oscillometric, noninvasive method of measuring blood pressure.

20. Every claim of the '611 patent is valid and enforceable and enjoys a statutory presumption pursuant to 35 U.S.C. § 282.

INFRINGEMENT OF U.S. PATENT NO. 7,014,611 B1

21. Defendants have been, and are currently, directly and/or indirectly (by inducement and/or contributory infringement) infringing one or more claims of the '611 patent in violation of 35 U.S.C. § 271, including but not limited to claims 1, 6, 7, 8, 10, 15, 16, and 17.

22. Defendants have directly infringed, literally and/or under the doctrine of equivalents, and will continue to directly infringe the '611 patent by using, offering for sale, selling, and/or importing in or into the United States, products that embody the apparatuses and practice the methods covered by one or more claims of the '611 patent, including but not limited to the following blood pressure monitors and product families thereof: Omron 3 Series Wrist Blood Pressure Monitor, exemplified by Model BP629 (BP629N) ("BP629"); Omron 3 Series Upper Arm Blood Pressure Monitor, exemplified by Model BP710N ("BP710N"); Omron 5 Series Upper Arm Blood Pressure Monitor, exemplified by Model BP742N ("BP742N"); Omron 7 Series Wrist Blood Pressure Monitor, exemplified by Model BP652 ("BP652"); Omron 7 Series Upper Arm Blood Pressure Monitor, exemplified by Model BP760N ("BP760N"); Omron 7 Series Wireless Upper Arm Blood Pressure Monitor, exemplified by Model BP761 ("BP761"); Omron 10 Series Wireless Wrist Blood Pressure Monitor, exemplified by Model BP653 ("BP653"); Omron 10 Series Upper Arm Blood Pressure Monitor, exemplified by Model BP785N ("BP785N"); Omron 10 Series Wireless Upper Arm Blood Pressure Monitor, exemplified by Model BP786 ("BP786"); and Omron Evolv Wireless Upper Arm Blood Pressure Monitor, exemplified by Model BP7000 ("BP7000") (collectively the "Accused Instrumentalities").

23. Defendants indirectly infringe the '611 patent by inducing others to infringe one or more claims of the '611 patent through using, selling, offering for sale, and/or importing the Accused Instrumentalities. As early as August 22, 2007 when the U.S. Patent and Trademark Office expressly notified Defendant OC of the '611 patent in connection with U.S. Patent Application Serial No. 11/374,989, and at least by the filing of this action, and potentially earlier, Defendants were and have been aware of the '611 patent and its coverage of blood pressure monitors, and were aware that their actions as to importers, distributors, resellers, wholesalers, retailers, and/or end users of the Accused Instrumentalities would induce infringement. Despite such awareness, Defendants continue to take active steps (*e.g.*, creating and disseminating the Accused Instrumentalities and product manuals, instructions, promotional and marketing materials, and/or technical materials to distributors, resellers, wholesalers, retailers, and end users) by encouraging others' infringements of the '611 patent with the specific intent to induce such infringement.

24. Defendants have never, either expressly or impliedly, been licensed under the '611 patent.

25. Defendants' direct infringement of the '611 patent has caused, and will continue to cause, substantial and irreparable damage to Purdue. Purdue is, therefore, entitled to an award of damages adequate to compensate for Defendants' infringement of the '611 patent, but in no event less than a reasonable royalty for Defendants' use and/or sale of Purdue's invention, together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

26. Plaintiff adopts, and incorporates by reference as if fully stated herein, the attached exemplary claim chart that reads claims 1 and 10 of the '611 patent on BP629, which is attached hereto as Exhibit B. The claim chart describes and demonstrates how Defendants infringe at least two independent claims of the '611 patent. In addition, Plaintiff alleges that Defendants infringe one or more additional claims of the '611 patent in a similar manner. As alleged and detailed in sections A-J below, each Accused Instrumentality contains and/or practices each limitation of the '611 patent's claims 1 and 10.

A. 3 SERIES WRIST BLOOD PRESSURE MONITOR: BP629 (BP629N)

27. BP629 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

28. BP629 is capable of measuring blood pressure noninvasively.

29. BP629 includes an inflatable cuff.

30. BP629 is capable of inflating the inflatable cuff.

31. BP629 includes a pump connected to the cuff.

32. BP629 includes a pressure transducer connected to the cuff.

33. BP629's pressure transducer is capable of producing a cuff-pressure signal.

34. BP629 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

35. BP629 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

36. BP629's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

37. BP629's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

38. BP629's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

B. 3 SERIES UPPER ARM BLOOD PRESSURE MONITOR: BP710N

39. BP710N is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

40. BP710N is capable of measuring blood pressure noninvasively.

41. BP710N includes an inflatable cuff.

42. BP710N is capable of inflating the inflatable cuff.

43. BP710N includes a pump connected to the cuff.

44. BP710N includes a pressure transducer connected to the cuff.

45. BP710N's pressure transducer is capable of producing a cuff-pressure signal.

46. BP710N is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

47. BP710N includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

48. BP710N's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

49. BP710N's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

50. BP710N's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

C. 5 SERIES UPPER ARM BLOOD PRESSURE MONITOR: BP742N

51. BP742N is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

52. BP742N is capable of measuring blood pressure noninvasively.

53. BP742N includes an inflatable cuff.

54. BP742N is capable of inflating the inflatable cuff.

55. BP742N includes a pump connected to the cuff.

56. BP742N includes a pressure transducer connected to the cuff.

57. BP742N's pressure transducer is capable of producing a cuff-pressure signal.

58. BP742N is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

59. BP742N includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

60. BP742N's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

61. BP742N's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

62. BP742N's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

D. 7 SERIES WRIST BLOOD PRESSURE MONITOR: BP652

63. BP652 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

64. BP652 is capable of measuring blood pressure noninvasively.

65. BP652 includes an inflatable cuff.

66. BP652 is capable of inflating the inflatable cuff.

67. BP652 includes a pump connected to the cuff.

68. BP652 includes a pressure transducer connected to the cuff.

69. BP652's pressure transducer is capable of producing a cuff-pressure signal.

70. BP652 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

71. BP652 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

72. BP652's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

73. BP652's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

74. BP652's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

E. 7 SERIES UPPER ARM BLOOD PRESSURE MONITOR: BP760N

75. BP760N is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

76. BP760N is capable of measuring blood pressure noninvasively.

77. BP760N includes an inflatable cuff.

78. BP760N is capable of inflating the inflatable cuff.

79. BP760N includes a pump connected to the cuff.

80. BP760N includes a pressure transducer connected to the cuff.

81. BP760N's pressure transducer is capable of producing a cuff-pressure signal.

82. BP760N is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

83. BP760N includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

84. BP760N's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

85. BP760N's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

86. BP760N's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

F. 7 SERIES WIRELESS UPPER ARM BLOOD PRESSURE MONITOR: BP761

87. BP761 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

88. BP761 is capable of measuring blood pressure noninvasively.

89. BP761 includes an inflatable cuff.

90. BP761 is capable of inflating the inflatable cuff.

91. BP761 includes a pump connected to the cuff.

92. BP761 includes a pressure transducer connected to the cuff.

93. BP761's pressure transducer is capable of producing a cuff-pressure signal.

94. BP761 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

95. BP761 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

96. BP761's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

97. BP761's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

98. BP761's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

G. 10 SERIES WIRELESS WRIST BLOOD PRESSURE MONITOR: BP653

99. BP653 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

100. BP653 is capable of measuring blood pressure noninvasively.

101. BP653 includes an inflatable cuff.

102. BP653 is capable of inflating the inflatable cuff.

103. BP653 includes a pump connected to the cuff.

104. BP653 includes a pressure transducer connected to the cuff.

105. BP653's pressure transducer is capable of producing a cuff-pressure signal.

106. BP653 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

107. BP653 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

108. BP653's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

109. BP653's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

110. BP653's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

H. 10 SERIES UPPER ARM BLOOD PRESSURE MONITOR: BP785N

111. BP785N is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

112. BP785N is capable of measuring blood pressure noninvasively.

113. BP785N includes an inflatable cuff.

114. BP785N is capable of inflating the inflatable cuff.

115. BP785N includes a pump connected to the cuff.

116. BP785N includes a pressure transducer connected to the cuff.

117. BP785N's pressure transducer is capable of producing a cuff-pressure signal.

118. BP785N is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

119. BP785N includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

120. BP785N's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

121. BP785N's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

122. BP785N's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

I. 10 SERIES WIRELESS UPPER ARM BLOOD PRESSURE MONITOR: BP786

123. BP786 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

124. BP786 is capable of measuring blood pressure noninvasively.

125. BP786 includes an inflatable cuff.

126. BP786 is capable of inflating the inflatable cuff.

127. BP786 includes a pump connected to the cuff.

128. BP786 includes a pressure transducer connected to the cuff.

129. BP786's pressure transducer is capable of producing a cuff-pressure signal.

130. BP786 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

131. BP786 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

132. BP786's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

133. BP786's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

134. BP786's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

J. EVOLV WIRELESS UPPER ARM BLOOD PRESSURE MONITOR: BP7000

135. BP7000 is a blood pressure monitor, and more specifically, an oscillometric blood pressure monitor capable of detecting oscillations in arterial pressure.

136. BP7000 is capable of measuring blood pressure noninvasively.

137. BP7000 includes an inflatable cuff.

138. BP7000 is capable of inflating the inflatable cuff.

139. BP7000 includes a pump connected to the cuff.

140. BP7000 includes a pressure transducer connected to the cuff.

141. BP7000's pressure transducer is capable of producing a cuff-pressure signal.

142. BP7000 is capable of detecting arterial pressure oscillations that occur during a transition in cuff pressure between a pressure greater than normal systolic pressure and a pressure less than normal diastolic pressure.

143. BP7000 includes a blood pressure measurement circuit responsive to arterial pressure oscillations.

144. BP7000's blood pressure measurement circuit is capable of determining the maximum amplitude of the arterial pressure oscillations.

145. BP7000's blood pressure measurement circuit is capable of identifying a mean cuff pressure as the value of the cuff pressure signal coinciding in time with the maximum amplitude of the arterial pressure oscillations.

146. BP7000's blood pressure measurement circuit is capable of determining systolic pressure as a function of both the maximum amplitude of the arterial pressure oscillations and the mean cuff pressure.

PRAYER

147. **WHEREFORE, PREMISES CONSIDERED**, Plaintiff prays for entry of judgment against Defendants as follows:

- A. A judgment that the '611 patent is valid and enforceable;
- B. That Defendants have infringed and continue to infringe the '611 patent, directly and/or indirectly (by inducement and/or contributory infringement), as alleged herein;
- C. That Defendants provide to Plaintiff an accounting of all gains, profits, and advantages derived by Defendants' infringement of the '611 patent, and that Plaintiff be awarded damages adequate to compensate them for the wrongful infringement by Defendants, in accordance with 35 U.S.C. § 284;
- D. That Plaintiff be awarded any other supplemental damages and interest on all damages, including, but not limited to, attorneys' fees available under 35 U.S.C. § 285;
- E. That the Court permanently enjoin Defendants and all those in privity with Defendants from making, having made, selling, offering for sale, distributing, and/or using products that infringe the '611 patent, including the Accused Products in the United States; and
- F. That Plaintiff be awarded such other and further relief and all remedies available at law.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff hereby demands a trial by jury on all issues triable to a jury.

Respectfully submitted this 14th day of December, 2017, by the following attorneys for The Trustees of Purdue University:

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